

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

Transcript Designation and Ordering Form

U.S. Court of Appeals Case No. 06-16199 U.S. District Court Case No. 03-CV-00385 SOM-LEKShort Case Title Wayne Berry v. Hawaiian Express Service, Inc., et al.Date Notice of Appeal Filed by Clerk of District Court June 21, 2006**SECTION A - To be completed by party ordering transcript**

HEARING DATE(s)

COURT REPORTER

PROCEEDINGS(strike portion not desired)

See Attached Ex. "A"

Voir Dire

Opening Statements

Settlement Instructions

Closing Arguments

Jury Instructions

Pre-Trial Proceedings

Other (please specify)

(additional page for designations if necessary)

I do not intend to designate any portion of the transcript and will notify all counsel of this intention.

As retained counsel (or litigant proceeding in pro per). I request a copy of the transcript and guarantee payment to the reporter of the cost thereof upon demand. I further agree to pay for work done prior to cancellation of this order.

As appointed counsel I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within 5 days hereof will be, obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

Date transcript ordered n/a Estimated date for completion of transcript _____Print Name of Attorney Timothy J. Hogan Phone Number 528-9721Signature of Attorney Timothy J. HoganAddress Lynch Ichida et al. 1132 Bishop Street, Suite 1405, Honolulu, Hawaii 96813**SECTION B - To be completed by court reporter**I, _____ have received this designation.
(signature of court reporter)

Arrangements for payment were made on _____

Arrangements for payment have not been made pursuant to FRAP 10(b).

Approximate Number of Pages in Transcript--Due Date _____

SECTION C - To be completed by court reporter

When the transcript is filed, complete this section and submit to the U.S. district court with the completed transcript. The district court will not file the transcript without this completed form.

Date transcript filed _____ Court Reporter's Signature _____

SECTION D - To be completed by the Clerk

U.S. DISTRICT COURT CLERK: I certify that the record is available in the office of the U.S. District Court.

<u>Sue Beitia</u> (U.S. District Court Clerk)	<u>(date)</u>	<u>BY:</u>	<u>DEPUTY CLERK</u>
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In response to the PCT and Guidance Software, Inc.'s Further Designation of Transcripts Plaintiff Appellant Wayne Berry hereby Orders and designates the following additional transcripts.

Hearing Date	Court Reporter	Matter	Docket No. or Date Filed
04/11/2005	Debra Chun	Hearing on MSJ	05/18/2005*
06/20/2005	Steve Platt	Hearing on MSJ	07/20/2005
10/11/2005	Cynthia Fazio	Hearing on Def. MSJ	11/21/2005
01/20/2006	Debra Chun	Motion in Limine	786*
01/30/2006	Sharon Ross	Status Conference	791*
01/24/2006	Steve Platt	Proceedings	857

Please Note: The Plaintiff-Appellant's records shows that the transcripts denoted with an asterisk (*) have not been previously ordered and paid for by the Plaintiff-Appellant and are hereby respectfully ordered.

Exhibit "A"